



STATE OF CALIFORNIA—HEALTH AND HUMAN SERVICES AGENCY
DEPARTMENT OF SOCIAL SERVICES
744 P Street • Sacramento, CA 95814 • www.cdss.ca.gov



EDMUND G. BROWN JR.
GOVERNOR

January 23, 2017

Ms. Cathi Grams, Director
Butte County Department of Employment & Social Services
P.O. Box 1649
Oroville, CA 95965

Dear Ms. Grams:

I want to take this opportunity to thank you and your staff for the cooperation and assistance provided to the reviewer from our office during the course of the Civil Rights Compliance Review of July 5 – July 8, 2016. Enclosed is the final report on the review.

There are some compliance issues (deficiencies) identified in the report, which will require the development of a Corrective Action Plan (CAP). Please submit your CAP within 60 days of this letter. Please address each deficiency and include steps and time lines for the completion of all corrective actions and recommendations listed in the enclosed report.

Please submit your CAP in both hardcopy and, in an effort to comply with ADA website accessibility, we also require the CAP to be submitted electronically as a Word document via email at crb@dss.ca.gov.

We will provide a copy of your report to any individual who makes a valid Public Records Act (PRA) request. Our reports are considered public documents under the PRA. Once we approve your CAP, it becomes a public document as well. In addition, these documents are published on our website at <http://www.cdss.ca.gov/civilrights/PG2890.htm>.

If you need technical assistance in the development of your CAP, please feel free to contact Daniel Cervantes at (916) 654-2107. You may also contact us by e-mail at crb@dss.ca.gov.

Sincerely,

Original signed by Civil Rights Chief

JIM TASHIMA, Chief
Civil Rights Unit
Welfare to Work Division

Enclosure

c: Karen Gillespie, Civil Rights Coordinator

Kim McCoy Wade, Chief
CalFresh Policy Bureau

Carlos Ocampo, Chief
Field Operations Bureau

Tami Gutierrez, Chief
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**CIVIL RIGHTS COMPLIANCE REVIEW REPORT
FOR
Butte County
Department of Employment
& Social Services**

**Conducted on
July 5-8, 2016**

**California Department of Social Services
Human Rights and Community Services Division
Civil Rights Bureau
744 P Street, M.S. 8-16-70
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(916) 654-2107**

**Reviewer:
Daniel Cervantes**

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CIVIL RIGHTS COMPLIANCE REVIEW REPORT

I. INTRODUCTION

The purpose of this review by the California Department of Social Services (CDSS) Civil Rights Bureau (CRB) staff was to assess the Butte County Department of Employment & Social Services with regard to its compliance with CDSS Manual of Policies and Procedures (MPP) Division 21 Regulations, and other applicable state and federal civil rights laws.

An on-site compliance review was conducted on July 5 to July 8, 2016. An exit interview was held on July 8, 2016, to review the preliminary findings.

The review was conducted in the following locations:

Name of Facility	Address	Programs	Non-English languages spoken by a substantial number of clients (5% or more)
Butte Community Employment Center - Chico	2445 Carmichael Drive Chico, CA 95928	Employment Services, Children's Services, CalFRESH, CalWORKs	Spanish, Hmong
Butte Community Employment Center - Oroville	78 Table Mountain Blvd. Oroville, CA 95965	Employment Services, CalWORKs, Children's Services, Adult Services, IHSS	Spanish, Hmong

II. SUMMARY OF METHODOLOGY

In preparing for this review, CDSS staff completed the following tasks:

- Reviewed the 2016 Civil Rights Compliance Plan submitted by the County.
- Reviewed the civil rights discrimination complaint database for a complete listing of complaints filed against the County for the last year.
- Reviewed the previous Compliance Reviews and Corrective Action Plans submitted by the county.

Headquarters and on-site review procedures included:

- Interviews of public contact staff
- Survey of program managers
- Case file reviews
- Facility inspections
- Discussion with community advocate groups. In this review the following organization(s) were contacted for feedback.

There was no response from advocates in the planning of the review

Each site/program was reviewed for compliance in the following areas:

- Dissemination of Information
- Facility Accessibility for Individuals with Disabilities
- Bilingual Staffing/Services for Non-English-Speaking Clients
- Accessibility for Clients with Visual or Hearing Impairments
- Documentation of Client Case Records
- Staff Development and Training
- Discrimination Complaint Procedures

Here is a summary of the sources of information used for the review:

Interviews Conducted of Public Contact Staff

Classifications	Total	Bilingual
Eligibility Workers	5	3
Children Social Workers	6	3
Adult Program Workers	2	1
Receptionist/Screeners	3	1
Total	16	8

Program Manager Surveys

Number of surveys distributed	5
Number of surveys received	5

Reviewed Case Files

English speakers' case files reviewed	10
Non-English or limited-English speakers' case files reviewed	42

Languages of clients' cases	English, Spanish, Hmong, Arabic, Farsi, Cantonese, Mandarin
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Sections III through IX of this report contain specific Division 21 civil rights requirements and present field review findings regarding the county's compliance with each requirement. The report format first summarizes each requirement, then the actual review team findings, including appropriate comparisons. This format is an effort to validate the application of policies and procedures contained in the annual plan. Required corrective actions are stated at the end of each section.

Section X evaluates the county's Call/Service Centers services provided to non-English speaking clients and clients with a disability.

Section XI reviews the county's compliance plan, and provides either approval of the plan as submitted, or lays out additional information to be submitted to gain approval.

Section XII highlights issues pointed out by Community Input and summarizes Reviewer Observations.

Section XIII of the report is reserved for a declaration of overall compliance.

III. DISSEMINATION OF INFORMATION

Counties are required to disseminate information about program or program changes and about how applicants and recipients are protected by the CDSS regulations (Division 21). This dissemination should occur through outreach and information to all applicants, recipients, community organizations, and other interested persons, including non- and limited-English speakers and those with impaired hearing or vision or other disabling conditions.

A. Findings

Access to Services, Information and Outreach	Yes	No	Some-times	Comments
Does the county accommodate clients by flexing/extending their hours or allowing applications to be mailed in?	Yes			Butte County has normal business hours for most programs; 7:30am – 5:00pm The county also makes it possible for applicants to apply for benefits online at

Access to Services, Information and Outreach	Yes	No	Some-times	Comments
				CIVyourself.com. Further, applications can be dropped off or mailed in. Case managers also make themselves available on a case by case basis.
Can applicants access services when unable to go to the office?	Yes			See comments above.
Does the county ensure the awareness of available services for individuals in remote areas?	Yes			Butte County does their best to ensure people are aware of the information they provide online. The county also partners with several schools/ school districts and health clinics.

Signage, posters, pamphlets	Yes	No	Some-times	Comments
Does the county use the CDSS pamphlet "Your Rights Under California Welfare Programs" (Pub 13 – 6/11)?	Yes			Butte County workers give and explain the PUB 13 to applicants. The PUB 13 pamphlets are also available in the lobbies and behind the counters.
Is the pamphlet distributed and explained to each client at intake and re-certification?	Yes			Please see comments above.
Is the current version of Pub 13 available in Arabic, Armenian Cambodian, Chinese, English, Farsi Hmong, Japanese, Korean, Lao Mien, Portuguese, Punjabi, Russian Spanish, Tagalog, Ukrainian, and Vietnamese?	Yes			The most current version of the PUB 13 was available in the county.

Signage, posters, pamphlets	Yes	No	Some-times	Comments
If the PUB 13 is not displayed in all the languages available, is there a poster that indicates that the Pub 13 is available in all 18 languages?	Yes			
Was the Pub 13 available in large print (English and Spanish), CD, audiocassette and Braille?	Yes			The information was available in the lobby behind the counter. Reception staff were aware of the different types of PUB 13s.
Were the current versions of the required posters present in the lobbies?	Yes			All required posters were the most current versions available.
Were there instructional and directional signs posted in waiting areas and other places frequented by a substantial number of non-English-speaking clients translated into appropriate languages?	Yes			Although not all offices achieved the 5% minimum required by CDSS, Butte County does an excellent job in accommodating the Hmong community. All offices visited had instructional and directional signage in both Spanish and Hmong.

B. Corrective Actions

None

C. Recommendation

The county is required to use the latest version of each of the referenced documents. For your information, the most recent version for each of the above referenced documents is:

Pub 13	"Your Rights under California Welfare Programs"	06/11
Pub 86	"Everyone is Different, but Equal Under the Law"	03/07
Form AD 475B	"And Justice for All"	12/99

Contact the Civil Rights Bureau to receive the most recent versions, or download the Pub 13 from the CRB website

<http://www.cdss.ca.gov/civilrights/entres/forms/English/pub13.pdf>.

IV. FACILITY ACCESSIBILITY FOR INDIVIDUALS WITH DISABILITIES

The Americans with Disabilities Act (ADA) requires public accommodations to provide goods and services to people with disabilities on an equal basis with the rest of the general public. The goal is to afford every individual the opportunity to benefit from the services available. The federal regulations require that architectural and communication barriers that are structural must be removed in public areas of existing facilities when their removal is readily achievable; in other words, easily accomplished and able to be carried out without much difficulty or expense.

The facility review is based on four priorities supported by the ADA regulations for planning achievable barrier removal projects. The priorities include ensuring accessible approach and entrance to the facility, access to goods and services, access to restrooms, and any other measures necessary.

Note that the references to the Americans with Disabilities Act Accessibility Guidelines (ADAAG) in the Corrective Action column refer to the federal Standards for Design. Title 24 of California Code and Regulations (T24 CCR) is also cited because there are instances when California state law is stricter than ADAAG specifications.

The county must ensure that programs and activities are readily accessible to individuals with disabilities. This includes building accessibility and availability of accessible parking as well as accessibility of public telephones and restrooms.

Regulations cited are from the Title 24, California Code of Regulations (T24 CCR) and ADAAG.

A. Findings and Corrective Actions

1. Facility Location: 2445 Carmichael Drive, Chico, CA 95928

There were no physical findings at this location.

2. Facility Location: 78 Table Mountain Blvd., Oroville, CA 95965

There were no physical findings at this location.

V. PROVISION FOR SERVICES TO APPLICANTS AND RECIPIENTS WHO ARE ON-ENGLISH-SPEAKING OR WHO HAVE DISABILITIES

Counties are required by Division 21 to ensure that effective bilingual/interpretive services are provided to serve the needs of the non-English-speaking population and individuals with disabilities without undue delays. Counties are required to collect data on primary language and ethnic origin of applicants/recipients (identification of primary language must be done by the applicant/recipient).

Using this information, a county may determine 1) the number of public contact staff necessary to provide bilingual services, 2) the manner in which they can best provide interpreter services without bilingual staff and 3) the language needs of individual applicants/recipients. Counties must employ an appropriate number of certified bilingual public contact employees in each program and/or location that serves a substantial number of non-English-speaking persons. In offices where bilingual staff are not required because non-English-speaking persons do not represent a substantial number, counties must provide effective bilingual services through interpreter or other means.

Counties must also provide auxiliary aids and services, including Braille material, taped text, qualified interpreters, large print materials, telecommunication devices for the deaf (TDD's), and other effective aids and services for persons with impaired hearing, speech, vision or manual skills. In addition, they must ensure that written materials be available in individuals' primary languages if the forms and materials are provided by CDSS in that language, and that information inserted in notices of action (NOA) be in the individuals' primary language.

A. Findings from Program Manager Surveys, Staff Interviews and Case File Reviews

Question	Yes	No	Some-times	Comments
Does the county identify a client's language need upon first contact? How?	Yes			Butte County offers form BU 526 to all applicants/recipients to ensure proper services are provided.
Does the county use a primary language form?	Yes			See comments above. The single page, 4 language form comes in English, Spanish, Hmong, and Laotian.
Does the client self-declare on this form?	Yes.			Clients are required to fill out the form as part of the intake process. Butte County staff are available to assist in filling out

Question	Yes	No	Some-times	Comments
				the form BU 526 should the application/recipient require assistance.
Are non-English- or limited- English-speaking clients provided bilingual services?	Yes			Butte County has the required staff in both Spanish and Hmong (county threshold languages) to be able to provide effective services.
After it has been determined that the client is limited-English or non-English speaking, is there a county process for procuring an interpreter?	Yes			The county has a sufficient bilingual staff to ensure effective communication. Further, the county has a Spanish and Hmong interpreter of the day who makes themselves immediately available to provide immediate interpretive services.
Does the county have a language line provider, a county interpreter list, or any other interpreter process?	Yes			There are several "in house" bilingual workers that can assist customers on an as needed basis. Butte County uses Language Line Services, Inc. to provide telephone interpretive services.
Is there a delay in providing services?		No		See comments above
Are county interpreters determined to be competent?	Yes			Bilingual workers are required to be certified through Butte County.
Does the county have adequate interpreter services?	Yes			Between the language line and certified bilingual staff, Butte County is able to provide adequate interpretive services to applicants/recipients.
Does the county allow minors to be interpreters? If so, under what circumstances?		No		
Does the county allow the client to provide his or her	Yes			Applicants/recipients are allowed to use their own interpreter after

Question	Yes	No	Some- times	Comments
own interpreter?				they've been offered the county's free services.
Does the county ensure that the client-provided interpreter understands what is being interpreted for the client?	Yes			Applicants/recipients are made to sign a form ABCDM 228 to ensure effective services.
Does the county use the CDSS-translated forms in the clients' primary languages?			Someti mes	In some case files reviewed, the county failed to use/translate forms in the client's primary language. It should be noted that this was not the case in the two threshold languages.
Is the information that is to be inserted into NOA translated into the client's primary language?	Yes			See comments above.
Does the county provide auxiliary aids and services, TDD's and other effective aids and services for persons with impaired hearing, speech, vision or manual skills, including Braille material, taped text, large print materials (besides the Pub 13)?	Yes			Resources are available to ensure effective communication by Butte County.
Does the county identify a client with a disability (physical, mental, or learning)?	Yes			
Does the county provide reasonable accommodations to clients with a disability (physical, mental, or learning)?	Yes			Butte county applicants/recipients are assisted on an as needed basis.

Question	Yes	No	Some-times	Comments
Does the county identify and assist the client who has learning disabilities or a client who cannot read or write?	Yes			Butte county applicants/ recipients are assisted on an as needed basis
Does the county offer screening for learning disabilities?	Yes			An initial mental health screening happens at the intake process.
Is there an established process for offering screening?	Yes			Butte County staff provide an initial screening during the intake process. If the initial screening comes back that the person does require services to accommodate a learning disability, the applicant/recipient is then referred to Dr. Azevedo for further evaluation. If the evaluation determines a mental health need, the applicant/recipient is then referred to Department of Mental Health for further evaluation.
Is the client identified as having a learning disability referred for evaluation?	Yes			See comments above.

B. Corrective Actions

Area of Findings	Corrective Actions
Written Materials	Butte County Department of Employment and Social Services must use and provide translated forms, to include translated notice of action forms, in the clients' primary languages when translated by CDSS. Div. 21-115.2

VI. DOCUMENTATION OF APPLICANT/RECIPIENT CASE RECORDS

Counties are required to ensure that case records document applicant's/recipient's ethnic origin and primary language, the method used to provide bilingual services, information that identifies an applicant/recipient as disabled, and an applicant's/recipient's request for auxiliary aids and services.

A. Findings from Case File Reviews and Staff Interviews

Documented Item	CalWorks (Child Care)	Adult Programs (IHSS & APS)	CalWORKs & Employment Services	Non-Assistance CalFresh	Fraud
Ethnic origin documentation	Case notes and form BU 526	Soc 295 and BU 526 Language preference form	SAWS 1 and BU 526 Language preference form	SAWS 1 and BU 526 Language preference form	BU 526 Language preference form
Primary language documentation	BU 526 Language preference form	BU 526 Language preference form	BU 526 Language preference form	BU 526 Language preference form	Case notes and form BU 526
Method of providing bilingual services and documentation	Case notes and form BU 526	Case notes and form BU 526	Case notes and form BU 526	Case notes and form BU 526	Case notes and form BU 526
Client provided own interpreter	Case notes and form BU 526	Case notes and form BU 526	Case notes and form BU 526	Case notes and form BU 526	Case notes and form BU 526
Method to inform client of potential problem using own interpreter	Case notes, form BU 526, and ABDCM 228	Case notes, form BU 526, and ABDCM 228	Case notes, form BU 526, and ABDCM 228	Case notes, form BU 526, and ABDCM 228	n/a
Release of information to Interpreter	Case notes and ABDCM 228	Case notes and ABDCM 228	Case notes and ABDCM 228	Case notes and ABDCM 228	n/a

Documented Item	CalWorks (Child Care)	Adult Programs (IHSS & APS)	CalWORKs & Employment Services	Non-Assistance CalFresh	Fraud
Individual's acceptance or refusal of written material offered in primary language	Case notes and form BU 526	Case notes and form BU 526	Case notes and form BU 526	Case notes and form BU 526	n/a
Documentation of minor used as interpreter	Minors are not used	Minors are not used	Minors are not used	Minors are not used	n/a
Documentation of circumstances for using minor interpreter temporarily	Case notes	Case notes	Case notes	Case notes	Case notes
Method of identifying client's disability	Case notes	Case notes and other IHSS specific forms	Case notes, SAWS 2	Case notes, SAWS 2	n/a fraud cases reviewed did not have participants with disabilities.
Method of providing reasonable accommodation to the client with disability	Case notes	Case notes	Case notes	Case notes	Case notes

B. Corrective Actions

Areas of Action	Corrective Action
General	Butte County Department of Employment and Social Services must ensure that proper

Areas of Action	Corrective Action
	documentation is kept in the file that identifies all the required elements to ensure compliance. Div. 21-116

VII. STAFF DEVELOPMENT AND TRAINING

Counties are required to provide civil rights and cultural awareness training for all public contact employees, including familiarization with the discrimination complaint process and all other requirements of Division 21. The training should be included in orientation, as well as the continuing training programs.

A. Findings

Interview questions	Yes	No	Some-times	Comments
Do employees receive continued Division 21 Training?	Yes			Butte County staff receive regular Division 21/civil rights training.
Do employees understand the county policy regarding a client's rights and procedure to file a discrimination complaint?			Sometim es	Front line staff, including the greeter, must always be aware of how/when it is appropriate to file (or assist the participant in filing) a discrimination complaint.
Does the county provide employees Cultural Awareness Training?	Yes			Training is provided in conjunction with other trainings.
Do the CSW's have an understanding of Multi-Ethnic Placement Act (MEPA)?	Yes			Training is provided in conjunction with other trainings.
Do the employees seem knowledgeable about the predominant cultural groups receiving services in their area?	Yes			Butte County staff are aware of the large Spanish and Hmong speaking community. They do an exceptional job in ensuring effective services are being provided.

Interview questions	Yes	No	Some-times	Comments
Does the county provide training on how to interact with clients with disabilities (physical, mental & learning)?	Yes			Butte County staff are constantly looking to keep up with the latest laws/regulations involving any and all disabilities.

B. Corrective Actions

Training Area	Corrective Action
Division 21, Civil Rights Training	Butte County shall ensure that employees receive Division 21 civil rights training at the time of orientation, as well as ongoing training to ensure that public contact staff has knowledge of Division 21, including familiarization with the discrimination complaint process. Div. 21-117.1

C. Recommendation

The idea of having a greeter assist in directing foot traffic is a great idea. The greeters must be able to effectively communicate with all applicants/recipients. At minimum, the greeter must be able to communicate immediately in the threshold languages. If the greeter does not speak those languages, they must know how to get the applicant/recipient translation services immediately.

VIII. DISCRIMINATION COMPLAINT PROCEDURES

Counties are required to maintain a process for addressing all complaints of discrimination. They must track complaints of discrimination through the use of a control log in which all relevant information is kept, including when the complaint was received, the name of the complainant, identifying numbers and programs, basis of discrimination, and resolution. It is usually the Civil Rights Coordinator responsibility to maintain this log.

A. Findings from Staff Interviews and Program Manager Surveys

Interview and review areas	Yes	No	Some-times	Findings
Can the employees easily identify the difference between a program, discrimination, and a personnel complaint?	Yes			All staff interviewed were well aware of the different types of complaints and when to refer them to the Civil Rights Coordinator.
Did the employees know who the Civil Rights Coordinator is?	Yes			All Butte County staff interviewed knew who the Civil Rights Coordinator, where her information is posted, and how to get a hold of her.
Did the employees know the location of the Civil Rights poster with information as to how and where the clients can file a discrimination complaint?	Yes.			See comments above.
When reviewing the complaint log with the Civil Rights Coordinator, was it complete and up to date?	Yes			
Is the County utilizing correct correspondence to address the final results to the complainant after the investigation is completed?	Yes			All of the complaints were handled per Division 21.

B. Corrective Action

None

IX. VENDOR CONTRACTS

Counties are required to ensure contracted services with contractors, vendors, consultants, and other providers of service, who receive state or federal assistance, include the assurance of compliance agreement.

A. Contracts Review

Number of Contracts Reviewed	10
Number of Contracts w/Assurance of Compliance Agreement	10

X. COMMUNITY INPUT

As a part of this review, and as noted in Section II, feedback was sought from community and advocate groups. The following summarizes their observations, and will provide issues that the county management team can address to improve their operations from a civil rights perspective.

There was no response from advocates in the planning of the review.

XII. CIVIL RIGHTS COMPLIANCE PLAN REVIEW AND APPROVAL

The Butte County Department of Employment and Social Services Civil Rights Compliance Plan for the period July 1, 2015 through June 30, 2016, was received on April 15, 2016. It is approved as submitted.

XIII. CONCLUSION

The CDSS reviewer found the Butte County Department of Employment and Social Services staff warm, welcoming, informative and very supportive. Particular thanks to Ms. Karen Gillespie, Program Manager/CRC and Ms. Tracy Carpenter, for organizing the details of the review. In each District Office, staff were very helpful with the facility reviews, case reviews, and computer assistance.

The CDSS found the Butte County Department of Employment and Social Services in substantial compliance with CDSS Division 21 Regulations, and other applicable state and federal laws. County staff continues to reflect a commitment similar to that expressed by management with respect to ensuring access, assistance, and compliance.

The Butte County Department of Employment and Social Services must remedy the deficiencies identified in this report by taking corrective actions. A corrective action plan must be received by CDSS within 60 days of the date of the cover letter to this report; and the plan must include a schedule of all actions that will be taken to correct the deficiencies, and an indication of who will be responsible for implementing the corrective action.

It is our intent that this report be used to create a positive interaction between the county and CDSS in identifying and correcting compliance violations and to provide the county with an opportunity to implement corrective action to achieve compliance with Division 21 regulations. Civil Rights staff is available to provide technical assistance as requested.